

Message Text

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15 46
ACTION EA-14

INFO OCT-01 ADP-00 AID-20 L-03 DODE-00 EB-11 NSAE-00

RSC-01 TRSE-00 AEC-11 CIAE-00 COME-00 IGA-02 MC-02

ACDA-19 PM-07 NSC-10 SS-15 OMB-01 RSR-01 /118 W
----- 080187

R 271130Z JUL 73
FM AMEMBASSY PHNOM PENH
TO AMEMBASSY CANBERRA
INFO SECSTATE WASHDC 2296
AMEMBASSY BANGKOK
AMCONSUL HONG KONG
AMCONSUL MELBOURNE
AMEMBASSY SAIGON
AMEMBASSY SINGAPORE
AMCONSUL SYDNEY
AMEMBASSY VIENTIANE

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C O R R E C T E D C O P Y (PARA 1)

FOR STATE/AID EA AND COMMERCE EXPORT CONTROL

E.O. 11652: GDS
TAGS: ESTC
SUBJECT: GAO DEFERRAL OF EXPORT LICENSE FOR CARGO AIRCRAFT
TO CAMBODIA

REF: CANBERRA 4122

IN RESPONSE TO REFTEL:

1. EMBASSY REPRESENTATIVE MET WITH AIR CAMBODGE CHAIRMAN,
UNG KRAPUM PHKA, AND AIR CAMBODGE CONTROLLER WHO ORALLY
VERIFIED THE COPY OF THE AGREEMENT AS AUTHENTIC AND CORRECT.
THE AGREEMENT IS QUOTED IN ITS ENTIRETY AS FOLLOWS:
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(NO ATTEMPT HAS BEEN MADE TO SIGNAL ANY OF THE SPELLING ERRORS)

"AGREEMENT TO PROVIDING AIRCRAFTS.

"THIS AGREEMENT DRAWS AS OF THIS 28TH DAY OF MAY 1973
BETWEEN AIR CAMBODGE, A CORPORATION ORGANIZED AND EXISTING UNDER
THE LAWS OF THE KHMER REPUBLIC (HEREINAFTER REFERRED AS A.C)
AND MR. CECIL E. WROTEN OR DESIGNEE WHOSE ADDRESS IN THE UNITED
STATES IS 2739 2ND AVE.S.E. CEDAR RAPIDS, IOWA AND IN THE KHMER
REPUBLIC IS VOIE 1102 NO 64 VITHEI SEREI PHEAP, PHNOM-PENH
(HEREINAFTER REFERRED TO AS THE LESSOR).

"WITNESSETH:

"WHEREAS, MR. WROTEN SHALL PROVIDE FOR LEASE TO A.C. THREE
CARVAIR TYPE AIRCRAFTS IN CONSIDERATION OF THE PREMISES, MUTUAL
CONVENANTS, TERMS AND CONDITIONS STATED AS FOLLOWS:

"PART.I.- AIRCRAFT SERVICES:

"A.- THE PURPOSE OF THE PRESENT CONTRACT IS TO DEFINE THE
CONDITIONS UNDER WHICH THE LESSOR PROVIDE FOR THE USE BY AIR
CAMBODGE OF THREE OR MORE AIRCRAFTS TOGETHER WITH QUALIFIED AIR
CREWS FOR OPERATING THE CONCERNED AIRCRAFTS.THE AIRCRAFTS
SHALL BE EQUIPPED WITH STANDARD RADIO EQUIPMENT FOR OPERATING
IN THE KHMER REPUBLIC.

"THE LESSOR SHALL BE RESPONSIBLE FOR ALL PARTS, EQUIPMENTS AND
SUPPLIES NECESSARY FOR THE PROPER MAINTENANCE OF SUCH AIRCRAFTS.
SAID AIRCRAFTS SHALL BE IN GOOD FLYING CONDITIONS AND PROVIDED
WITH CERTIFICATE OF AIRWORTHINESS SO AS TO PERMIT IMMEDIATE
UTILIZATION UPON DELIVERY.

"B.- SAID AIRCRAFTS SHALL FLY UNDER A.C. COLOURS PROVIDED THE
REGISTRATION OF THE AIRCRAFTS SHALL NOT BE ALTERED OR THEIR
NUMBERS REMOVED FROM THE AIRCRAFTS.

"DURING THE EFFECTIVE PERIOD OF THIS CONTRACT AND ANY
RENEWAL OR EXTENSION HEREOF, SUCH AIRCRAFTS SHALL BE SUBJECT
TO THE EXCLUSIVE USE OF A.C. HOWEVER THIS CLAUSE DOES NOT
PROCLUDE THE LESSOR FROM ACCEPTING CONTRACTS FOR THE USE
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OF AIRCRAFTS FROM THE UNITED STATES GOVERNMENT OR ANY OF ITS
AGENCIES. SHOULD THE AIRCRAFTS UNDER THIS AGREEMENT BE SO
CONTRACTED TO THE UNITED STATES GOVERNMENT AN AMENDEMENT TO THIS
AGREEMENT SHALL BE MADE. THE OPERATIONS AND SERVICES PROVIDED
BY THE LESSOR UNDER THIS AGREEMENT SHALL BE SUBJECT TO THE
NORMAL MANAGEMENT OF A.C. EXECUTIVES.

"C.- THE AIRCRAFTS SHALL BE MAINTAINED, OVERHAULED, REPAIRED

AND OPERATED BY THE LESSOR IN ACCORDANCE WITH STANDARD
AIRLINE PRACTICES AND IN CONFORMITY WITH THE LOCAL REGULATIONS.

"D.- A.C. AGREES TO PROVIDE AND PAY FOR:

"-ALL FLIGHT ATTENDANTS (AIRHOSTESSES AND STEWARDS),
"-ALL POL (PETROLEUM, OIL AND LUBRICANTS) PRODUCTS NECESSARY FOR
THE OPERATIONS OF THE AIRCRAFTS,
"-GROUND HANDLING,
"-ALL TICKETING, CHECK-IN AND MANIFESTING OF PASSENGERS AND
CARGO, LANDING AND PARKING TAXES,
"-ALL TRAFFIC AND OPERATION SERVICES, GROUND TRANSPORTATION
FOR THE LESSOR'S AIR CREWS EXCEPT ACCOMMODATION,
"-ALL PASSENGERS, CARGO, BAGGAGES, PUBLIC AND PROPERTY
LIABILITY INSURANCE,
"-ALL MAINTENANCE SPACE FACILITIES.

"E.- THE FERRYING COST TO AND FROM ABROAD FOR POSITIONING OR
OVERHAUL OF AIRCRAFTS SHALL BE TO THE ACCOUNT OF THE LESSOR.

"PART.II.- FINANCIAL CONSIDERATIONS:

"A.- THE RATE OF THE LEASE SHALL BE: CARVAIR-U.S. \$190.- PER HOUR.

"B.- IN CASE THE AIRCRAFTS MUST TURN ROUND DUE TO TECHNICAL TROUBLE
OR BAD WEATHER, A.C. AGREES TO PAY THE LESSOR
HALF THE RENTAL OF THE ACTUAL FLYING HOURS OF THE FLIGHT.

"C.- FOR PAYEMENT PURPOSES FLYING HOURS OR FLYING TIME WILL BE
COUNTED FROM THE TIME THE AIRCRAFTS LEAVE THE PARKING AREA UP
TO THE TIME THEY STOP IN APRON. SUCH TIME MUST BE CORRECTLY
RECORDED IN THE AIRCRAFTS LOG BOOK.

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"D.- PAMENT TO THE LESSOR BY A.C. SHALL BE MADE MONTHLY UPON
PRESENTATION OF AN INVOICE IN THE UNITED STATES CURENCIES
WITHIN THREE DAYS FROM ACKNOWLEDGEMENT OF INVOICE.

"PART.III.- OTHER CONSIDERATIONS:

"A.- A.C. AGREES TO PROVIDE WITHIN THE BOUNDS OF ITS POSSIBILITIES
OR ARRANGE TO MAKE AVAILABLE ALL NECESSARY GROUND SUPPORT EQUIPMENT,
ROLLING STOCK, PARKING SPACE, HANGER FACILITIES AND WORKING AREA
REQUIRED IN PERFORMANCE OF THIS AGREEMENT.

"B.- A.C. SHALL USE THE LESSOR'S AIRCRAFTS FOR CARGO FLIGHT
WHERE IT IS POSSIBLE FOR THEM TO OPERATE, BUT NOT FOR
COMPETITION OF ANY KIND.

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NNN

MRN: 1973PHNOM 007686 SEGMENT NUMBER: 000002 ERROR READING TEXT INDEX
FILE; TELEGRAM TEXT FOR THIS SEGMENT IS UNAVAILABLE

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 27 JUL 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: willialc
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973PHNOM07686
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: CORE1
Film Number: n/a
From: PHNOM PENH
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t1973077/aaaaafbn.tel
Line Count: 171
Locator: ADS TEXT UNRETRIEVABLE
Office: ACTION EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Reference: 73 CANBERRA 4122
Review Action: RELEASED, APPROVED
Review Authority: willialc
Review Comment: n/a
Review Content Flags: ANOMALY
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Review Event:
Review Exemptions: n/a
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Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
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Review Transfer Date:
Review Withdrawn Fields: n/a
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To: n/a
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Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005